

# Drive: NH

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A PUBLICATION OF THE NEW HAMPSHIRE AUTOMOBILE DEALERS ASSOCIATION		DRIVE FOR A TECH: THE ANNUAL NHADA GOLF TOURNAMENT	



## **Spend a Day on the Green and Support the NHADA Education Foundation!**

Come spend a day on the green and support the NHADA Education Foundation during the Annual "Drive for a Tech" Golf Tournament on Friday, September 18, at the Pease Golf Course in Portsmouth, New Hampshire.

*Read more on p. 12*

## **Stephen Brackett: Lakes Region Community College's Toyota T-Ten Graduate And Class Of 2020 Valedictorian.**

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*Read more on p. 16*





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# SUMMARY

## COVID-19

### 04. COVID-19 AND HSAs

We have seen our industry face tough times, having to furlough employees and file for unemployment due to COVID-19. Their health care coverage could be of great help to them at this time if they have an HSA plan. Half of Americans say they do not know much about HSAs, and many believe HSA funds are lost if not spent by the end of the year. Employees struggle to understand what an HSA is and how it can help them save money tax-free for medical expenses now and in retirement.

## NHADA Products

### 06. SUMMER/FALL APPAREL: GETTING BACK TO NORMAL

First, NHADA helped ensure that all New Hampshire auto businesses were essential under the stay-at-home orders. Then NHADA provided the needed guidance and PPE equipment to help you operate COVID-safe.

## Workforce Development

### 07. YOUR SUPPORT MATTERS!

This summer, as all of us wait to see what the fall semester will bring for automotive programs at both the high school and post-secondary levels, please remember that the summer auto program classes at the CCSNH locations are now being held.

### 16. STEPHEN BRACKETT: LAKES REGION COMMUNITY COLLEGE'S TOYOTA T-TEN GRADUATE AND LRCC CLASS OF 2020 VALEDICTORIAN.

Nobody could have predicted, nor would we have believed it if they had told us, that by the middle of March in the year 2020 there would be no sports, no theater, no indoor (or outdoor) dining, no proms, all schools would transition to remote learning, a large part of the workforce would pivot to working from home, and oddly enough, there would be a national shortage of hand sanitizer and toilet paper. Indeed, 2020 has thrown us a few curveballs; we have had to swing for the fences, rethink our lineup and adapt to a new normal.

## Legislative

### 08. THE 2020 LEGISLATIVE SESSION IS OVER AND UNLIKE ANY WE (AND THE HISTORY BOOKS) HAVE EVER SEEN

In June, as the state began to slowly open back up under Governor Sununu's guidance, so too did the New Hampshire Legislature. The 400-member House of Representatives met twice at the Whittemore Center at UNH and the 24-member Senate met in Representatives Hall at the State House to accommodate for social distancing and COVID-19 precautionary measures.

### 20. INDEPENDENCE DAY IS OVER – ARE YOU READY FOR THE 2020 SUMMER HIRING SEASON IN NEW HAMPSHIRE?

Now that Governor Sununu has lifted many of the COVID-19 Stay at Home restrictions, we thought this would be a good time to review the laws governing the employment of individuals under the age of 18 in New Hampshire.

## Loss Prevention

### 10. LOSS PREVENTION SERVICES MOVING FORWARD

Worker health and safety has never been more visible. For months on end, there have been daily briefings from politicians and infectious disease experts leading the news cycle. In many ways, COVID-19 has been the tipping point for heightening the status of employee health and safety.



**Stephen Brackett: Lakes Region Community College's Toyota T-Ten Graduate and Class of 2020 Valedictorian.**

## Education Foundation

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## Workers' Compensation:

- 14.** WHY AM I GETTING A BILL; THIS IS WORKERS COMP?

A common question we get here at NHADA — WCT is, "why is my injured worker getting bills for his workers' comp injury" or "my employees' treatment bills went to collections; why didn't you pay them?" This is, unfortunately, an inquiry with a common denominator. They can't bill us if they don't know about us.



## Special Event — Save the Date!

SEPT. 18, 2020

### Drive for a Tech Golf Tournament

Pease Golf Course, Portsmouth, NH

NOV. 17, 2020

### 2020 Business Conference and Partner Expo

DoubleTree by Hilton, Manchester, NH

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### Let's Get Our Giggle On!

Grappone Conference Center, Concord, NH

JUNE 27-29, 2021

### Rolling Through the Decades! Celebrating 100 Years!

Omni Mount Washington Resort, Bretton Woods, NH

## Other

- 07.** NEW MEMBERS

- 23.** THANK YOU 2020  
NHADA PARTNERS!

- 25.** BY THE NUMBERS

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# COVID-19 and HSAs



LAURIE CHURCHILL

LICENSED INSURANCE PRODUCER

We have seen our industry face tough times, with businesses having to furlough employees and employees having to file for unemployment due to COVID-19. Their health care coverage could be of great help to them at this time if they have an HSA plan. Half of Americans say they do not know much about HSAs, and many believe HSA funds are lost if not spent by the end of the year. Employees struggle to understand what an HSA is and how it can help them save money tax-free for medical expenses now and in retirement.

When HSAs first came into existence, they were lumped into a benefits package along with Flexible Spending Accounts (FSAs) and Health Reimbursement Accounts (HRAs). This was a critical early mistake that has led to persistent misunderstandings. HSAs, unlike FSAs and HRAs, are actual bank accounts where real dollars are deposited.

This is an important distinction. With an HSA, the employee is in possession of their money, and they can control how that money is used. They can make their own contributions to save on taxes. They can invest in mutual funds to build a nest egg for retirement. They can use the money tax-free at any time for qualified expenses. Or, they can watch their balances build over time and reimburse themselves when they retire for all the expenses they paid for out of pocket from the day the HSA was opened. The HSA stays with them for life.

With the COVID-19 global pandemic, the financial implications of the crisis are becoming more pressing. Here are some ways your employees can use an HSA to address immediate concerns.

There are no tax penalties for using HSA funds to cover qualified expenses. Make sure your employees know that HSA funds can be used for paying for doctor bills, prescriptions, hospital visits, lab tests, eyeglasses and dental care. Employees can also use HSAs for supplies like thermometers, first aid items, batteries for medical devices, and transportation to receive any needed treatments.

Also, the Coronavirus Aid, Relief and Economic Security (CARES) Act provides many new HSA expansions. Feminine hygiene products can now be purchased tax-free with HSA funds, and the same goes for many over-the-counter medications — no prescription needed. HSA funds can also be used to pay for qualified medical expenses for a spouse and tax dependents — again tax-free — regardless of their insurance coverage.

New rules for high deductible health plans have been implemented to allow insurance providers to voluntarily cover telehealth services and COVID-19 treatment before the deductible has been met. HSA-qualified health plans are required to cover COVID-19 testing, regardless of deductible.

For those experiencing an immediate, significant cash crunch, HSA account holders can also reimburse themselves tax-free for past qualified medical expenses to keep more cash on hand. That means that they can pay themselves from their HSA funds for qualified expenses that have been incurred since the account was opened without incurring any tax penalties or fees.

Account holders can use their HSA to pay for COBRA premiums and health care coverage while receiving unemployment compensation under federal or state law. This offers critical financial support for furloughed employees in our automotive industries and those now facing unemployment.

And, as long as an employee retains HSA-qualified health coverage after leaving their employer, they can continue to contribute to their HSA, even if they want to use the account for tax-free pass-through spending.

Now is a good time for employers to make sure that employees on a qualified health plan have opened an HSA (meaning an HSA bank account), are properly educated about it and understand it. If more employees are made aware of the many ways they can use the HSA to help manage their health and financial challenges now during the current pandemic, it can be of great help. ▲

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# Summer/Fall Apparel: GETTING BACK TO NORMAL



BRENDAN JAWORSKI

SALES REPRESENTATIVE, PRODUCTS DIVISION

**F**irst, NHADA helped ensure that all New Hampshire auto businesses were essential under the stay-at-home orders. Then NHADA provided the needed guidance and PPE equipment to help you operate COVID-safe.

Now that business is starting to return to normal, we ask that you continue to use NHADA's store for all your automotive business supplies branding products and apparel. **All purchases help fund our legislative and regulatory actions.** Please consider NHADA to be essential to your business operations.

Are you looking to place an apparel order in the near future now that we are in midst of the summer months and slowly getting into the beginning of fall? Brendan is here to help with industry-leading turnaround and pricing.

[Check out his online catalog.](#)



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Want to find out just how much money Brendan can save your business? Schedule an in person or phone call meeting with him at [meetings.hubspot.com/bjaworski](https://meetings.hubspot.com/bjaworski). It is as simple as Brendan taking a look at the clothing item number from your previous order and getting you a quote. Just compare his pricing to your last invoice from his competitor to see the savings!

Here are 3 of his top sellers this summer/fall season:



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[Check out how he was able to help out the Tulley Automotive Group](#)




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# Your Support Matters!



JESSICA DADE

EXECUTIVE DIRECTOR NHAEEF, ASE-EF NH MANAGER

**T**his summer, as all of us wait to see what the fall semester will bring for automotive programs at both the high school and post-secondary levels, please remember that the summer auto program classes at the CCSNH locations are now being held.

In order to ensure that we maintain these programs at both the CTE and CCSNH levels, our representatives must remain involved and active

in the boards on which they serve. Additionally, our organization needs to make sure that its members are represented at local school board meetings as well as statewide hearings on technical education.

Our programs at the high school level are full and have waiting lists for admission this fall. This is due to your ongoing support for internships and scholarships, as shown by your attendance at our various fundraising events as well as your purchases of

raffle tickets, commitment to advisory committees and support for all our efforts with workforce development.

We are fortunate to have such an active and ever-growing industrywide support system to ensure that we have an on-going group of bright and eager people interested in becoming part of the automobile world.

None of these important programs would be possible without your continued support. ▲

## New Members

### Broken Wrench Repair LLC

51 Depot Street  
Goffstown, NH 03045-1713  
Phone: (603) 497-2841  
Owner: Brian Tremblay

### NH Work Trucks

126 Daniel Webster HWY Unit #3  
Belmont, NH 03220  
Phone: (603) 527-8284  
Owner: Patric Iach

### Kirks Truck Auto Tire Center

P.O. Box 130  
Plymouth, NH 03264-3718  
Phone: (603) 536-1035  
Owner: George Kirk

### Kezar Automobile LLC

298 Dover Road  
Chichester, NH 03258  
Phone: (603) 798-5455  
Owner: David Kezar

### DDA Professional Truck Services, Leasing & Transport

11 Navigator Road  
Londonderry, NH 03053  
Phone: (603) 647-4838  
Owner: Dwayne D. Andreasen

### Accomplished Auto

134A Hall Street  
Concord, NH 03301-3470  
Phone: (603) 226-6630  
Owner: Clinton Jones

### Healey Auto Repair

31 Milton Road  
Rochester, NH 03868  
Phone: (603) 332-2287  
Owner: Brian Healey

### Garry's Service Center, Inc.

323 South Main Street  
Concord, NH 03301  
Phone: (603) 224-9541  
Owner: Jeffrey White

### Johnson's Auto Care, Inc.

577 Eastman Road  
Center Conway, NH 03813  
Phone: (603) 356-7051  
Owner: Alvah Johnson

### Meineke #1114 dba 603 Automotive of Portsmouth LLC

2200 Lafayette Road  
Portsmouth, NH 03801  
Phone: (603) 433-3951  
Owner: Matthew Gates

### Key Domestic Motors of Portsmouth LLC dba Key Chrysler Dodge Ram of Portsmouth

155 Greenleaf Avenue  
Portsmouth, NH 03801  
Phone: (603) 436-5010  
Owner: Anthony Dilorenzo

### Pellerin Automotive LLC

451 US Route 4, Building B  
Enfield, NH 03748  
Phone: (603) 632-4352  
Owners: John & Vicki Pellerin

### Thistle Mobile Service LLC

58 B and B Lane  
Weare, NH 03281  
Phone: (603) 529-5503  
Owner: Zac Thistle ▲



# The 2020 Legislative Session Is Over

AND UNLIKE ANY WE (AND THE HISTORY BOOKS) HAVE EVER SEEN



DAN BENNETT

V.P. GOVERNMENT RELATIONS

In June, as the state began to slowly open back up under Governor Sununu's guidance, so too did the New Hampshire Legislature. The 400-member House of Representatives met twice at the Whittemore Center at UNH and the 24-member Senate met in Representatives Hall at the State House to accommodate for social distancing and COVID-19 precautionary measures. This was the first time since the Civil War that the legislature had met outside of the State House in Concord. Policy Committees met remotely as well, and they developed a method for public input and testimony during the committee hearings. The 2020 session finally wrapped at the end of June. This is about one month later than planned. It is an election year, so the legislators need to get campaigning, even if it is virtually.

At the House of Representatives meetings, the Republicans and Democrats could not agree on a few items. House Republicans were unsatisfied with the lack of bipartisan involvement in the schedule development, as well as a bill to pull back proposed business tax cuts. They tried to remedy this through the rules committee; however, the Democrats did not agree to the tax cut issue and the Republicans did not agree to the deadline and rules suspension. This effectively ended the 2020 House session for any policy work. They could only meet one last time to agree or disagree with the action taken by the Senate.

The approach that the legislature was left to take was for any COVID-19 related bills, and ones deemed a high priority, and make them into a few large omnibus bills to be voted on. The Senate's last day to meet was June 29th. The House then had one opportunity to concur (agree) or

disagree with those bills on their last day of June. The bills that survived those votes will head to Governor Sununu's desk, where he has five days to sign into law, let pass unsigned or veto the remaining bills. The governor has stated that just like the last session, he is not afraid to veto legislation he does not like. The House and Senate will likely meet one last time in the fall to tackle any vetoes from the governor.

## NHADA bills of interest

One of NHADA's highest priority legislative efforts this session was focused on helping our collision repair shops to be treated fairly. NHADA was successful in getting our bill deemed high priority, but due to its contentious nature (amendments from LKQ and opposition from insurance carriers), it would have been a standalone bill and not lumped into an omnibus bill. We believe that the bill would have passed both the Senate and the House; however, unfortunately, the new insurance commissioner stated he would recommend to Governor Sununu to veto the bill.

After long deliberation, we decided the best course of action would be to let the bill die this session and begin anew next year. Since we didn't override the first veto (narrowly), we couldn't override a second veto during an election year. We will refocus and spend the next few months working hard on this effort and new approaches for the next session to ensure that our shops are treated fairly and that consumer's safety and investment are protected.

A few other bills we had been monitoring through the legislative shutdown and reopening were the California low

emissions vehicle mandate bill and the mobile inspection station bill. Both bills did not make the cut and will not be moving forward this year.

Immediately prior to the session halting in March, NHADA successfully killed two bad bills. One would have repealed the annual vehicle safety inspection program and the second would have banned insurance sales/confirmation at dealerships. NHADA initiated and supported a bill sponsored by Rep. Sherm Packard (R-Londonderry) that would create an OHRV study commission to review on-road/off-road usage issues. Thankfully, that bill was included in the transportation omnibus bill.

Although these other bills are dead for now, it is highly likely that many will return next session. The filing period for bills will reopen in the fall for the 2021 session beginning in January.

In important reelection news, longtime Representative Ed Butler (D-Harts Location), friend and supporter of NHADA, and chair of the House Commerce Committee, has announced his retirement from the legislature. He will be missed. Not returning as of now are Senators Martha Fuller-Clark (D-Portsmouth), Senator Martha Hennessey (D-Hanover) and Senate Majority Leader Dan Feltes (D-Concord), who is running for governor. NHADA is reviewing the filings for Democratic and Republican Candidates for the legislature, and the MVPAC committee will meet after the primary in September to discuss the results. ▲

*Have a great summer, and for questions on this or any other legislative matter, I can be reached at [dbennett@nhada.com](mailto:dbennett@nhada.com) or (800) 852-3372.*

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Mike Taffaro



Sherry Nannis

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# Loss Prevention Services Moving Forward



PAT AUSTIN

SENIOR LOSS PREVENTION CONSULTANT

**W**orker health and safety has never been more visible. For months on end, there have been daily briefings from politicians and infectious disease experts leading the news cycle. In many ways, COVID-19 has been the tipping point for heightening the status of employee health and safety.

The inherent risks associated with the industry have not gone away during the COVID-19 pandemic. Employees still need to know the risks associated with their duties as well as how to effectively reduce their exposure.

From experience, I have seen that so many businesses have had incredible open-door policies. Employees were able to have direct and candid conversations with management and ownership regarding workplace safety. Now due to COVID-19, the doors are figuratively and literally closed because of social distancing measures. The loss of this face-to-face interaction is a new challenge for the workplace. Communication must not be lost.

The NHADA Loss Prevention staff is here to assist in bridging the gap and helping develop a plan of action.

## Environmental, Health and Safety Audits

The Loss Prevention staff is set to begin continuing our biannual environmental, health and safety audits. In the past, these audits were performed at random, but moving forward, we will be reaching out to management to schedule these audits. The audits will then be emailed to management in a timely manner.

**“THE LOSS OF THIS  
FACE-TO-FACE  
INTERACTION  
IS A NEW  
CHALLENGE FOR  
THE WORKPLACE.  
COMMUNICATION  
MUST NOT BE LOST.”**

## Employee Training

For some time, the Loss Prevention staff has been working on creating a number of options on various platforms to provide flexibility in how training is delivered.

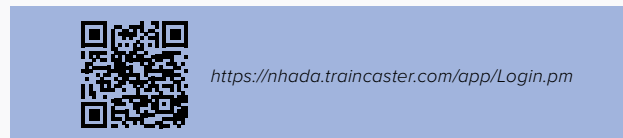
The current options available are:

- On-site, in-person
- Online
- DVDs

On-site, in-person training has long been the desired option for both the Loss Prevention staff and businesses. These trainings often result in an open dialogue where we often see solutions that arise to employee concerns.

To perform on-site, in-person training, many facilities do not have the space to abide by social distancing guidelines. If your preferred method of delivering training to employees is on-site, in-person training, we can run multiple sessions with smaller groups to meet social distancing guidelines.

NHADA has a host site, <https://nhada.traincaster.com/>, where trainings can be administered online. Traincaster has many benefits. Employees can complete the trainings on their schedule. An employee can even stop a training midway through completion and pick it back up later on if needed.



If you would like more information on traincaster, please contact your loss prevention representative.

Lastly, we have DVDs that can be dropped off at your facility upon your request. Currently, we have the following trainings on DVD.

- Fire Extinguisher and Emergency Evacuation
- Bloodborne Pathogens
- Automotive Lift
- Forklift Safety
- Hazard Communication
- Ergonomics
- Back Injury Prevention

### Safety Committee Meetings

The New Hampshire Department of Labor still requires employers of 15 or more employees to conduct four safety meetings per year.

Over the past few months, we have seen many businesses come up with creative solutions to keep their committee intact and productive. Meetings have been held outside in the parking lots and on zoom calls.

We strongly encourage keeping your committee active during this time. In most cases, appropriate social distancing can be met for on-site meetings, but if your facility is not able to meet social distancing or would prefer having the meeting in another method (i.e., a zoom call) that is an option as well.

The Loss Prevention staff very much looks forward to continuing to work with you, your employees and businesses. Anticipate hearing from your representative in the near future. ▲

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*Dave Ingraham*

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tickets that will give you four entries into the raffle for some prizes you won’t want to pass by, along with a mulligan that can come in handy throughout the day!

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*Interested in being a sponsor or registering a foursome? Register at our website [nhada.com/golf](http://nhada.com/golf) or reach out to Kaleena Guzman at [kguzman@nhada.com](mailto:kguzman@nhada.com) or 800-852-3372.*

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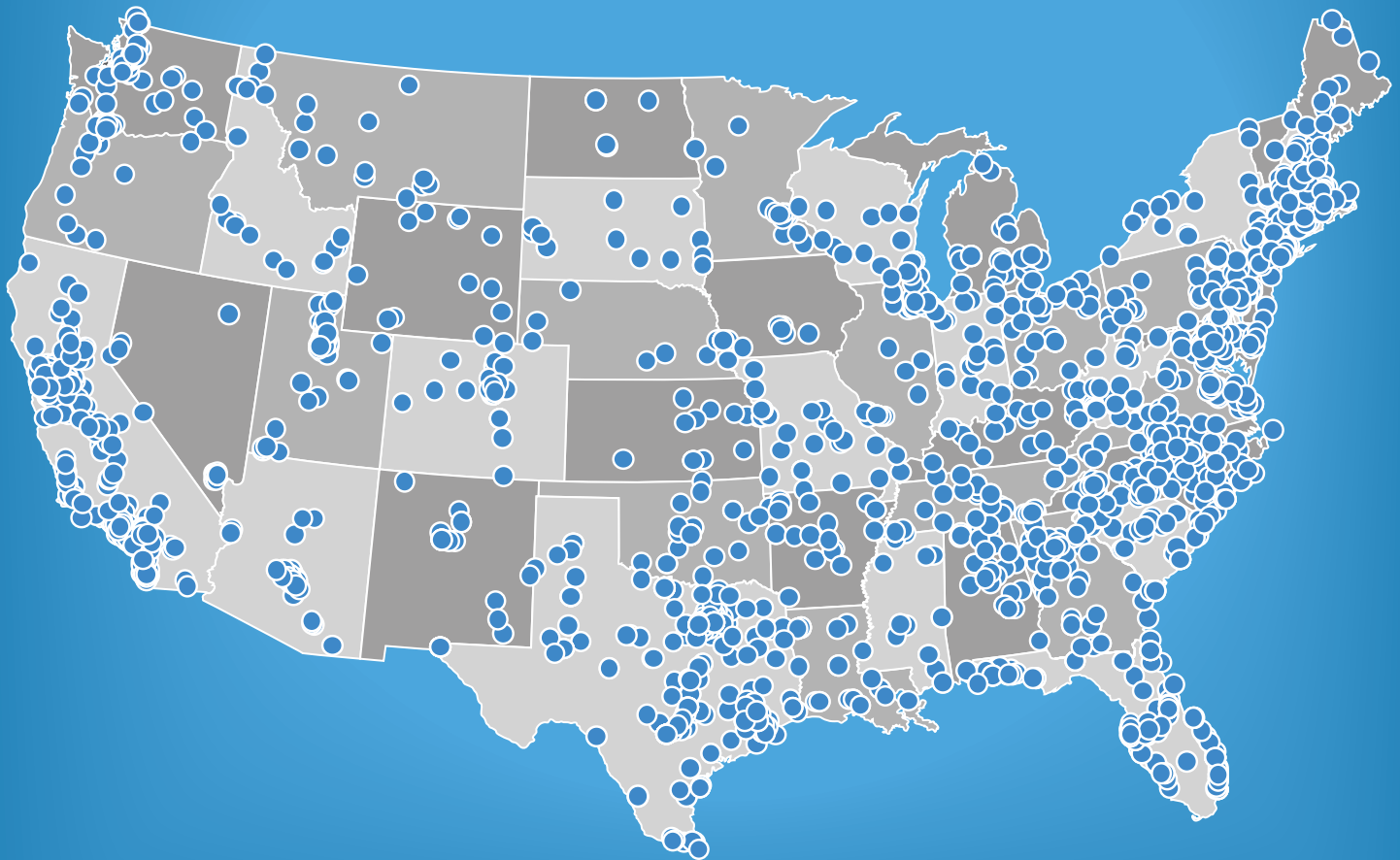


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# Why Am I Getting a Bill; This Is Workers Comp?



MARTA J SILAKKA RN, BSN, CCM, COHN-S

NURSE CASE MANAGER – NHADA-WCT

**A** common question we get here at NHADA — WCT is, “why is my injured worker getting bills for his workers’ comp injury” or “my employees’ treatment bills went to collections; why didn’t you pay them?” This is, unfortunately, an inquiry with a common denominator. They can’t bill us if they don’t know about us.

Here are some tips to help avoid your employees getting bills for the treatment of their work-related injury:

- Regular reminders, payroll stuffers, and signage: Making sure your employees know about NHADA and Managed Care before they are injured is key. The NHADA-WCT offers training on the process as well as posters and pamphlets explaining Managed Care and what to do when an employee is injured. Unfortunately, in many circumstances, the first the employees hear about workers comp is on the day of the injury, and they have so much to think about at that time, the information gets lost.
- Don’t forget to call NHADA-WCT: At the time of an injury, if it’s not an emergency life or death situation, the injured worker and employer representative should call us. Speaking to the NHADA Nurse Case Manager or other WCT staff members will assist you through the process. During the call, we will have the opportunity to assist with the most appropriate in-network provider. At this time, we will also review what the injured worker should share with the provider regarding billing. It is helpful for the employer contact to jot down our info and have the employee take it along when they seek treatment.
- Immediately set up an occupational health visit: Be very wary of the employee who reports an injury and states, “I am fine. I do not need to see a doctor.” These situations frequently lead to unnecessary emergency room visits. The employee has no information about NHADA-WCT, and as a result, they get billed at home. If they go to an emergency room, there will be a facility charge, an emergency room physician charge and a radiology charge. Emergency rooms are notoriously slow at billing and it could be months before they start the billing process with the injured worker. Please speak to the employee and call NHADA-WCT to discuss an appropriate treatment option, if necessary, before the employee leaves for the day. We would rather pay for an occupational health visit the employee feels is unnecessary versus an unnecessary ER visit.
- Preferred in-network provider versus out of network provider: Employees are all participants in the mandatory managed care network. This means that treatment outside of the network may not be covered. The NHADA-WCT team prides ourselves on the relationships we have built with occupational specialists in New Hampshire; this brings highly specialized care to your injured employees. It also helps us as these providers “know us,” and they have all the employer/NHADA/billing information that is necessary to forward the billing for the treatment to us. When an injured worker presents to an out of network provider, such as a primary care provider or emergency room, they may be used to billing the employee’s healthcare provider and do so even if the visit is for a work-related injury.
- Communication with front desk medical staff is key: When the injured worker presents for medical treatment, the few moments they spend with the front desk staff is crucial to the billing process. Checking in at the front desk is more than your name and the reason for your visit. Most receptionists will want to confirm your insurance. This leads to some confusion when presenting for a worker’s comp reason. The staff wants to see your health insurance card to make sure they have the most up-to-date information, but this sometimes masks the need to share “our” information. An injured worker must be upfront with the receptionist as to the reason for the visit being worker’s comp,



and the billing information should be NHADA-WCT information versus their health insurance.

- This must be trash since I was hurt at work: A common misconception when an injured worker receives a medical bill at home for treatment of their work-related injury is that the bill has been submitted to us or will be submitted to us. If a bill is received at an employee’s home, that is an instant RED FLAG, as it means the provider does not know about us or where to send the bill. Bills received at one’s home should be forwarded to us ASAP and the injured worker should make a call to the provider to tell them about us. Ignoring these bills and sending them straight to the circular file once, twice or more, will lead to that bill going to collections. When a claim is received, we reach out to providers where the injured worker may have treated and let them know about us; but in some circumstances, we don’t know where they went, or there may have been confusion about where they were treated.

Taking a moment to speak with your injured worker prior to them leaving for medical treatment will benefit everyone involved in several other areas besides billing. Taking this time will allow you to remind the employee of some other key parts of the treatment process:

- Remind your employee that after the appointment, they should return to work to review how it went and share the NH Workers Compensation Medical Form. Even if, for some reason, the employee has been taken out of work, they should still be encouraged to swing by work to share the information. Often an employee will be released to TAD — temporary alternative duty, and they make the assumption the employer cannot accommodate this, so they head home. Reviewing the WC form together allows the employer and employee to come up with a plan together, and everyone will have the same information.
- If your employee will be missing time from work, let them know to stay in touch; have a designated person at the employer, whether Human Resources or a supervisor, check in with them after each doctor’s appointment. Obtain the latest WC form and talk with the employee about their status, progress, and return to work.

Communication is key to successfully managing a worker’s compensation claim, and the NHADA-WCT Team is here to assist you and the injured employee through the worker’s comp process. Many folks from our team will be in contact with the employer and the employee throughout the process. At times this contact may seem redundant, but we all have a role in this. While the goal of this article is about how to make sure a bill goes to the right place, it is also a great opportunity to remind you of the WCT team members and how we can assist you with it. During the COVID-19 pandemic, we are all still available to assist you with the process.

- Pete Sheffer, claims manager (psheffer@nhada.com) — Pete is here for you for all aspects of the worker’s comp process, including legal questions, drug screening questions, filing of claims, managing existing claims. He oversees the WCT team, and more. Start with Pete, if you don’t know who to direct your questions to, and he will get you to the correct staff member.
- Marta Silakka, nurse case manager (msilakka@nhada.com) — Marta handles the medical part of the claims. She can assist you with any medical questions related to the claim and assist with referrals in the managed care network.
- Deb Handrahan, member services coordinator (dhandrahan@nhada.com) — Deb is currently answering the telephone calls directed to claims. She will answer any questions you may have during the pandemic and will direct your call to the appropriate person if she cannot answer your question. Deb can also assist you with all your training needs regarding the worker’s comp process. She also is crucial in assisting with the Second Injury Fund.
- Justin Dowdy, road adjuster (jdowdy@nhada.com) — Justin does all the initial interviews and recorded statements with injured employees. He will meet with witnesses and employers to investigate the injury that took place. He is also an adjuster and manages claims. During the pandemic, Justin is doing a lot over the telephone rather than in person. Please be sure to take the time to speak with him to speed the investigation process.

While most of the staff are working from home these days, we pride ourselves on being here for our members. Please do not hesitate to call or e-mail us with questions. ▲

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*Stephen Brackett proudly displays his diploma, T-TEN program completion plaque and honor cords outside of his sponsoring dealership, Rochester Toyota.*

# Stephen Brackett:

LAKES REGION COMMUNITY COLLEGE'S  
TOYOTA T-TEN GRADUATE AND LRCC  
CLASS OF 2020 VALEDICTORIAN.



JAMIE DECATO

---

ASSISTANT PROFESSOR,  
AUTOMOTIVE TECHNOLOGY;  
DEPARTMENT CHAIR,  
TRANSPORTATION TECHNOLOGIES,  
AT LAKES REGION COMMUNITY COLLEGE

**N**obody could have predicted, nor would we have believed it if they had told us, that by the middle of March in the year 2020 there would be no sports, no theater, no indoor (or outdoor) dining, no proms, all schools would transition to remote learning, a large part of the workforce would pivot to working from home, and oddly enough, there would be a national shortage of hand sanitizer and

*Continued on Page 18*



Continued from Page 17

toilet paper. Indeed, 2020 has thrown us a few curveballs; we have had to swing for the fences, rethink our lineup and adapt to a new normal. While we have struck out on occasion, for the most part, we have been able to keep our heads in the game and even knock a few right out of the park. Lakes Region Community College's Toyota T-TEN graduate and LRCC Class of 2020 Valedictorian, Stephen Brackett, has, without a doubt, hit a home run this year! He has been a model student and sets the clear example that the desire to learn, a positive attitude, a strong work ethic, grit and having the right people in your corner is a recipe for success.

When Stephen started the program in the fall of 2018, he was looking for a way to improve his position and set himself up for the future. He always had an interest in automotive repair but had no formal training. He became unsatisfied with the hot days and long hours of his current job as a roofer, and began looking for a career path that would feed his interest and provide him with an opportunity to grow. He discovered LRCC's Toyota T-TEN program through an internet search. He set up an appointment to meet with Scott Ellis, Toyota T-TEN program coordinator, to tour the facility and learn more about the program. Impressed with Stephen's enthusiasm and drive, Scott set up a meeting with Patrick Obed, service manager at Rochester Toyota. Stephen spent a few hours shadowing the master technicians in the shop and knew right away that this was the place for him. He enrolled in the program and began working at the dealership within a few weeks. He spent the summer working and started classes on campus in the fall of 2018.

From the moment that Stephen started the program, he put his head down, stayed focused on his studies and never lost sight of his end goals. He quickly rose to the head of the class and became a leader to his classmates, often assisting them when needed and encouraging them to push through their challenges and keep their eye on the prize. "He became a role model for the other students and brought the quality of the whole class up a few notches," said Brian Ellis, T-TEN instructor. "He set the bar high and encouraged the rest of the class to reach for it." This, coupled with the rigorous T-TEN curriculum, knowledgeable and caring faculty, quality work experience and

a dedicated mentor, allowed Stephen to flourish in the program. His hard work paid off, literally. He has been recognized by the Community College System of NH Foundation as the recipient of the Dan McLeod Scholarship, in recognition of the past NHADA president and former vice chair of the New Hampshire Community Technical College System (now CCSNH) board of trustees, providing him with \$2000 toward his education. This award goes to the second-year automotive student with the highest GPA in the entire college system. Additionally, Stephen applied for and received \$2950 in additional scholarship support from the NHADA Education Foundation, reducing the out of pocket cost of his education even further. "The incredible financial support provided by the network of NHADA members and dealers, administered through the NHADA Education Foundation, makes a huge difference in the lives of our students. It changes the entire conversation when a student recognizes that they can finish the program with a college degree, real-world experience, a job and a future with very little cost to them," says Ellis.

Stephen was not able to attend the drive-thru commencement ceremony held on June 27<sup>th</sup> to provide his valedictory address to the graduating class. Instead, LRCC's President, Larissa Baia, visited him at his place of employment, donning full commencement regalia to congratulate him and hand-deliver his diploma, honor cords and a special gift from LRCC. President Baia also recognized Stephen during the commencement ceremony by saying to the graduates, "His integrity and dedication are what makes me not only proud but hopeful that you have the tools and preparation to tackle what lies ahead."

Lisa Casaccio, president of Rochester Toyota, asked the entire service department to stop what they were doing, which rarely happens in the industry, to join in the celebration. Stephen's mother, Jen, stood quietly in the background, capturing every moment on her cellphone, and even though she had a facemask on, you could clearly see that she was beaming with pride. Graduation was an amazing end to this chapter of Stephen's journey, and one that he will not soon forget. We expect to see great things from Stephen in the future, and look forward to seeing where his journey takes him now that the rubber has met the road. 📌

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*Education and industry come together to celebrate Stephen Brackett, Lakes Region Community College's class of 2020 valedictorian and Toyota T-TEN high honors graduate.*

*Left to right; Brian Ellis-LRCC Toyota T-TEN Instructor, Glenn Goodwin — Toyota Master Diagnostic Technician and mentor, Partick Obed — Service and Parts Director, Lisa Casaccio — president of Rochester Toyota, Stephen Brackett, Jamie Decato — LRCC Transportation Department Chair and Larissa Baia — LRCC College President*

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# Independence Day Is Over — Are You Ready for the 2020 Summer Hiring Season in New Hampshire?



MARGARET "PEG" O'BRIEN, ESQ.

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**N**ow that Governor Sununu has lifted many of the COVID-19 Stay at Home restrictions, we thought this would be a good time to review the laws governing the employment of individuals under the age of 18 in New Hampshire.

**Which Laws Govern Youth Employment:** The federal Fair Labor Standards Act ("FLSA") and state Youth Employment Law (RSA 276-A) govern youth employment in New Hampshire. Youth work-rules are routinely enforced by both the New Hampshire and the U.S. Department of Labor. Employers should ensure that any individuals responsible for summer hiring are aware of the state and federal rules pertaining to youth employment and that all supervisors are properly trained with respect to the scope of appropriate work for minors, as well as with respect to scheduling issues.

**Who Qualifies as a "Youth":** Any individual under the age of 18.

**When Does the Law Prohibit the Employment of a Youth:**

In general, any youth under the age of 14 may not work in New Hampshire (there are exceptions for casual work and newspaper delivery). Additionally, most youths may not perform "hazardous" work, such as, but not limited to, commercial driving, excavation, manufacturing explosives, and operating many types of power-driven equipment. Further, New Hampshire has specific laws governing the employment of youth in the alcoholic beverage industry.

**Permissible Work/Hours:**

1. 14 and 15 Year-Olds:

- » Youths who are 14 and 15 years of age may work in various non-manufacturing,

non-mining, and non-hazardous jobs, such as found in retail stores, restaurants, movie theaters, amusement parks, and gasoline service stations. Youths under 16 cannot work in a warehouse, communications or public utilities jobs, construction or repair jobs, or jobs in which they drive a motor vehicle, or operate power-driven machinery or hoisting apparatus (other than typical office machines). They cannot bake, cook (except with gas or electric grills that do not involve cooking over an open flame), work with freezers or meat coolers, or work in meat processing areas, or operate, set-up, adjust, clean, oil or repair power-driven food slicers, grinders, choppers, cutters, or bakery mixers. For more information about jobs suitable for minors, see <https://www.dol.gov/agencies/whd/fact-sheets/43-child-labor-non-agriculture>.

- » They are permitted to work three hours on a school day during non-school hours and a total of 18 hours during the school week.
- » On non-school days, they may work eight hours per day. During the summer vacation, they may work six days per week, but not to exceed 40 hours per week.
- » Lastly, they may only work between 7:00 a.m. and 7:00 p.m., except June 1st through Labor Day, when they are permitted to work until 9:00 p.m.

2. 16 and 17 Year-Olds:

- » In any employer's workweek during which school is in session for five of the days, youths who are 16 and 17 years of age are not permitted to work more than six consecutive days

- and may not work more than 30 hours during that workweek.
- » In any employer's workweek during which school is in session for four of the days, youths who are 16 and 17 years of age are not permitted to work more than six consecutive days and may not work more than 40¼ hours during that workweek.
  - » In any employer's workweek during which school is in session for more than one but less than four days, youths who are 16 and 17 years of age are not permitted to work more than six consecutive days and may not work more than 48 hours during that workweek.
  - » During school vacations and from June 1st through Labor Day, youths who are 16 or 17 years of age may not work more than six consecutive days or 48 hours in any one week. (There is an exception for youths who reside and work at a summer camp for minors.)
  - » Sixteen and 17-year-olds who work more than two nights in a week past 8:00 p.m. or before 6:00 a.m. may not be allowed to work more than 8 hours in any shift during that particular week. (Eff. July 14, 2019)
  - » Sixteen and 17-year-olds may not work more than 10 hours a day in manufacturing or more than 10¼ hours a day at manual or mechanical labor in any other employment that is not exempt by statute.

### 3. Auto Industry Specific Jobs:

- » The U.S. Department of Labor regulations (29 CFR §570.34) provides that 14 and 15-year-old youth may work in jobs connected with cars and trucks if confined to the following: dispensing gasoline and oil; courtesy service; car cleaning, washing and polishing by hand.
- » The U.S. Department of Labor has opined that 16 and 17-year-olds may operate electric over hydraulic lifts, electric lifts, and electric doors. See FLSA — 639 Opinion Letter (August 25th, 1986). See also NHADA Article, "NH DOL Clarifies Youth Employment Prohibitions," Dateline March 2017 for an overview of driving and lift operation restrictions for 16 and 17-year-olds.

**Exception:** In general, the minimum age requirements do not apply to minors employed by their parent or by a person acting as their guardian. There are slight variations to the above guidelines for 16 or 17-year-olds who are not enrolled in school.

**Poster:** N.H. employers are required to post in a conspicuous place in every room where youths are employed a printed notice stating the hours of work, the time allowed for dinner or other meals, and the maximum number of hours any youth is permitted to work in any one day.

**Certificates:** New Hampshire requires most youths under the age of 16 to acquire a New Hampshire Youth Employment Certificate within three business days of the first day of employment. The Certificate may be issued by

principals of schools or their designee, or by a parent or legal guardian. For 16 and 17 year-olds, the employer must obtain a signed written document from the youth's parent or legal guardian permitting the youth's employment and this permission form must be on file at the worksite prior to the first day of employment. Samples of both of these forms are available on the New Hampshire Department of Labor's website (Forms and Publications/ Youth Employment).

**Penalties:** Employers violating youth employment laws risk criminal and civil penalties, including fines and imprisonment. Under federal law, employers are subject to a civil money penalty of up to \$10,000 per worker for each violation of the child labor laws. In addition, employers are subject to a civil money penalty of \$50,000 for each violation that causes the death or serious injury of any minor employee, and that penalty may be doubled, up to \$100,000, when the violations are determined to be willful or repeated. Federal law also provides for a criminal fine of up to \$10,000 upon conviction for a willful violation of child labor laws. For a second conviction for a willful violation, the act provides for a fine of not more than \$10,000, imprisonment for up to six months, or both. State law also imposes civil and criminal penalties for violations of youth employment laws.

**Other Considerations:** Teenagers and young adults often have limited work experience and may not understand what is appropriate or "normal" behavior in the workplace. As such, young workers may be more susceptible or vulnerable to sexual harassment and discrimination in the workplace and may not understand how to report such conduct. Employers should consider taking special care to train young employees on company policies and reporting procedures for discrimination and harassment upon hire. By encouraging young employees to come forward and report any problems as they arise, employers will have the opportunity to take appropriate action before the situation grows worse.

**Unpaid Interns:** Finally, many teenagers and young adults express interest in working for free as a summer "intern" in order to gain practical work experience. Most unpaid interns and employers consider the relationship a win-win — the intern gets a foot in the door for regular employment and the employer gets the benefit of some unpaid work from an energetic worker. However, there are serious legal considerations every private employer must consider before using unpaid interns. These "unpaid internships" may run afoul of federal and state wage and hour laws. The U.S. Department of Labor has issued guidance addressing this issue of unpaid interns for employers. (See U.S. Department of Labor Fact Sheet #71: [www.dol.gov/whd/regs/compliance/whdfs71.pdf](http://www.dol.gov/whd/regs/compliance/whdfs71.pdf)). The NH DOL has also issued extensive guidance on permissible school to work programs. (See NH DOL School to Work website: (<https://www.nh.gov/labor/inspection/school-to-work.htm>)).



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# By the Numbers

## 2020 Unemployment Rates by Area

	April	May	June
United States	14.7%	13.3%	11.1%
New England	14.0%	14.0%	13.4%
Connecticut	8.3%	9.6%	9.8%
Maine	10.4%	9.4%	6.6%
Massachusetts	16.2%	16.6%	17.4%
<b>New Hampshire</b>	<b>17.1%</b>	<b>15.4%</b>	<b>11.8%</b>
Rhode Island	18.1%	16.4%	12.4%
Vermont	16.5%	12.8%	9.4%

## Safety/OBD II Inspection Statistics

SAFETY Inspection Results	June '20	Percent of Total	YTD '20	Percent of Total
<b>TOTAL</b>	157,774	100.0%	787,574	100.0%
<b>PASS</b>	132,384	83.9%	653,891	83.0%
<b>CORRECTED</b>	15,063	9.5%	80,235	10.2%
<b>REJECTED</b>	7,031	4.5%	35,719	4.5%
<b>UNTESTED</b>	3,296	2.1%	17,729	2.3%
OBD Inspection Results (20 yrs. old or newer)	June '20	Percent of Total	YTD '20	Percent of Total
<b>TOTAL</b>	134,354	100.0%	682,962	100.0%
<b>PASS</b>	119,427	88.9%	604,214	88.5%
<b>REJECTED</b>	9,951	7.4%	53,173	7.8%
<b>UNTESTED</b>	4,976	3.7%	25,575	3.7%

## Title Statistics Report June 2020

### New Hampshire Department of Safety, Division of Motor Vehicles

	Current 12 months	Prior 12 months	% of change	June '20	June '19	20 YTD	19 YTD
TITLES ISSUED FOR NEW AND DEMO VEHICLES	118,233	127,702	-8.01	5,044	10,524	51,102	63,145
TITLE ISSUED FOR USED VEHICLES	240,148	268,778	-11.92	12,040	20,219	111,341	134,123
<b>TOTAL TITLES ISSUED</b>	<b>358,381</b>	<b>396,480</b>	<b>-10.63</b>	<b>17,084</b>	<b>30,743</b>	<b>162,443</b>	<b>197,268</b>
TITLES ISSUED WITH A LIEN				6,468	13,633	74,680	88,759
TITLES ISSUED WITH NO LIEN				10,616	17,110	87,763	108,509
SALVAGE TITLES ISSUED				611	872	8,331	9,126
SALVAGE TAGS				234	166	1,121	1,046
HEAVY TRUCKS MORE THAN 15 YEARS				29	45	178	248
HEAVY TRUCKS 15 YEARS AND LESS				91	133	895	956
TITLES ISSUED FOR TRAILERS				1,068	1,749	5,710	7,371
TITLES ISSUED FOR MOTORCYCLES				1,560	1,888	6,224	7,758
TITLES ISSUED FOR MOTOR HOMES				69	113	413	495 ▲



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